

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 78 of 2020**

1. Arvind Sahu S/o Chandramohan Sahu Aged About 45 Years R/o B. I. G. Nagar 57 / 2, Risali, Bhilai Newai Police Station, Additional Branch Manager Semra (Bhakhara).
2. Tej Prakash S/o Shyam Das Aged About 38 Years R/o Smriti Nagar, Bhilai, House No. 173, Police Station Smriti Nagar, Bhilai, District - Durg Chhattisgarh.
3. Trilok Singh Bhuarya, S/o V. S. Bhuarya, Aged About 29 Years R/o Maratha Para, Dhamtari, Tahsil And District - Dhamtari Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station Nagri, District - Dhamtari Chhattisgarh.

---- Respondent**MCRCA No. 80 of 2020**

1. Ashok Kumar Pramanik S/o Radha Nath Aged About 57 Years Manager, Dena Bank (Bank Of Baroda) Nagri , Tahsil Nagri , District Dhamtari Chhattisgarh.
2. Dinuram Dhruv S/o Motiram Dhruv Aged About 53 Years R/o Rani Durgawati Ward , Nagri , Tahsil Nagri, District Dhamtari, Chhattisgarh.
3. Manoj Kumar S/o Devender Das Aged About 33 Years R/o Bhilai, Tahsil And District Durg Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station Nagri , District Dhamtari Chhattisgarh.

---- Respondent

For Applicants	: Shri Manoj Paranjpe, Advocate.
For Respondent/State	: Shri Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

15/06/2020

1. The Applicants have preferred this first bail application under Section 438 of Cr.P.C. for apprehending their arrest in connection with Crime No. 83/2019 registered at Police Station Nagri, District – Dhamtari, (C.G.) for the offence punishable under Sections 420, 467, 468, 471 & 120-B of Indian Penal Code.
2. In the present case, there are total eight accused persons. As per the prosecution story, on 11.10.2019, a report was lodged by one Jhaduram Markam, who is a labour in MNREGA having MNREGA account in the bank. It has been stated by Jhaduram that he is holding an account at Dena Bank, Nagri. Allegedly, after going through the passbook, he came to know that on 22.8.2019 sum of Rs. 8,000/-, on 26.8.2019 sum of Rs. 8,000/- and on 4.9.2019 sum of Rs. 2,000/- have been withdrawn by some unknown persons from his account. When the complaint was made to the bank officials the CCTV footage was scrutinized and it was found that the main accused persons namely Mahendra Netam and Vijay Kumar Netam have withdrawn the amount. It is alleged that both Vijay Netam and Mahendra Kumar Netam have affixed their photograph in the passbook of Jhaduram and by using forged signature of Jhaduram, they have withdrawn the amount. It is further alleged that present applicants are the Officials/employees of the bank and they are also involved in the crime in question. On the basis of the said, offence has been registered.
3. Learned Counsel appearing for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that all the present applicants are the Officials/employees of Dena Bank. There is also no material available on record on the basis of which it can be said that *prima facie* case is made out against any of the accused person. Therefore, it is prayed that applicants may be released on anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.

5. I have heard learned Counsel appearing for the parties.
6. Taking into consideration the submissions put-forth on behalf of the parties, evidence collected by the prosecution and further considering the fact that main allegations are against co-accused Vijay Netam and Mahendra Netam who have already been arrested by the police, also there is no direct allegations against present applicants, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicants.
7. Accordingly, the bail applications are allowed.
8. It is directed that in the event of arrest of the applicants in connection with the aforesaid crime, they shall be released on anticipatory bail on each of them furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. They shall also abide by all the following terms and conditions :
 - (i) They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
 - (ii) They shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (iii) They shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge